



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष १०, अंक २३]

सोमवार, मार्च ११, २०२४/फाल्गुन २१, शके १९४५

[पृष्ठ ५, किंमत : रुपये ११.००

असाधारण क्रमांक ४०

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक ५ मार्च २०२४.

सूचना

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्रमांक टिपीएस- १८२४/२२५/प्र.क्र.२८/२०२४/नवि-१३.— ज्याअर्थी, महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका, व काही नियोजन प्राधिकरणे वगळता उर्वरित सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकरिता लागू करावयाच्या एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीस (युडीसीपीआर) (यापुढे ज्याचा उल्लेख "उक्त नियमावली" असा करण्यात आलेला आहे) महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आलेला आहे) मधील तरतुदीनुसार, शासन अधिसूचना क्र. टिपीएस-१८१८/प्र.क्र.२३६/१८/ वियो. व प्रायो./कलम ३७ (१कक) (ग) व कलम २०(४)/नवि-१३, दि. २ डिसेंबर २०२० अन्वये मंजुरी दिली असून ती दि. ३ डिसेंबर २०२० पासून अंमलात आली आहे ;

आणि ज्याअर्थी, उक्त नियमावलीमध्ये विनियम क्र.११.२.५ यामध्ये Transferable Development Rights (TDR) against Construction of Amenity या विनियमाबाबत तरतुदी अंतर्भूत करण्यात आलेल्या असून (यापुढे ज्याचा उल्लेख "उक्त तरतुदी" असा करण्यात आलेला आहे) उक्त तरतुदीच्या अनुषंगाने राज्यातील नियोजन प्राधिकरणांना उक्त तरतुदीची अंमलबजावणी करताना काही अडचणी येत असल्याचे शासनाच्या निदर्शनास आले आहे ;

आणि ज्याअर्थी, बृहन्मुंबई महानगरपालिकेच्या विकास नियंत्रण व प्रोत्साहन नियमावली - २०३४ च्या नियमावलीच्या धर्तीवर मंजूर UDCPR मध्ये सर्व प्रकारच्या इमारतीच्या बाबतीत Construction Amenity TDR आकारणी करताना उक्त नियमावलीतील विनियम क्र.११.२.५ ही तरतुद सोबतच्या परिशिष्ट "अ" नुसार, सुधारित करणे आवश्यक आहे (यापुढे ज्याचा उल्लेख "उक्त प्रस्तावित फेरबदल" असा करण्यात आलेला आहे) असे शासनाचे मत झाले आहे.

आता, त्याअर्थी, उक्त अधिनियमाचे कलम ३७(१ क क) (क) व २०(३) अन्वये प्राप्त अधिकारात आणि तदनुषंगिक शक्तींचा वापर करून, उक्त फेरबदलावर जनतेकडून सूचना / हरकती मागविण्यासाठी शासन ही सूचना प्रसिद्ध करीत आहे. उक्त फेरबदलावरील कोणत्याही सूचना / हरकती, ही सूचना महाराष्ट्र शासन राजपत्रात प्रसिद्ध झाल्यापासून एक महिन्याच्या आत, संबंधित विभागीय सहसंचालक, नगररचना यांचेकडे दाखल करता येतील. विभागीय सहसंचालक, नगररचना यांना प्राप्त सूचना / हरकतींवर सुनावणी देऊन आणि आवश्यकतेनुसार संबंधित नियोजन प्राधिकरणांचे म्हणणे घेऊन, त्यावरील अहवाल शासनास सादर करण्यासाठी प्राधिकृत करण्यात येत आहे.

(१)

तसेच, सार्वजनिक हिताच्या दृष्टीकोनातून प्रस्तावित UDCPR मधील सुधारणा लगेत लागू करण्यासाठी राज्यातील सर्व नियोजन प्राधिकरणांना शासन याद्वारे उक्त अधिनियमाचे कलम १५४(१) अन्वये निर्देश देत आहे की, उक्त अधिनियमाचे कलम ३७(१क) चे उप कलम (क) अन्वये प्रस्तावित फेरबदलास शासनाची अंतिम मंजूरी मिळेपर्यंत सदरचे विनियम क्र.११.२.५ मधील प्रस्तावित फेरबदल [Regulation regarding Transferable Development Rights (TDR) against Construction of Amenity] लगेत अंमलात येतील.

ही सूचना, कामकाजाचे दिवशी एक महिन्याच्या कालावधीकरिता जनतेच्या अवलोकनार्थ खालील कार्यालयात उपलब्ध राहील :—

१. विभागीय सहसंचालक, नगररचना, कोकण / छत्रपती संभाजीनगर/ अमरावती/ नागपूर / नाशिक/ पुणे औरंगाबाद विभाग.
२. आयुक्त, सर्व संबंधित महानगरपालिका. (बृहन्मुंबई महानगरपालिका वगळता).
३. जिल्हाधिकारी, सर्व जिल्हे.
४. महानगर आयुक्त, सर्व महानगर प्रदेश विकास प्राधिकरणे.
५. व्यवस्थापकीय संचालक, सिडको, सिडको भवन, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४.
६. मुख्य कार्यकारी अधिकारी, कोल्हापूर नागरी क्षेत्र विकास प्राधिकरण, कोल्हापूर.
७. उपाध्यक्ष तथा व्यवस्थापकीय संचालक, महाराष्ट्र राज्य रस्ते विकास महामंडळ, मुंबई.
८. सर्व विशेष नियोजन प्राधिकरणे / नवनगर विकास प्राधिकरणे, मुख्य कार्यकारी अधिकारी.
९. सर्व जिल्हापरिषदा.
१०. मुख्याधिकारी (सर्व नगरपरिषदा / नगरपंचायती).

ही सूचना शासनाचे संकेतस्थळ www.maharashtra.gov.in (कायदे / नियम) वर उपलब्ध राहील.

परिशिष्ट-अ

सूचना क्र.टिपीएस-१८२४/२२५/प्र.क्र.२८/२०२४/नवि-१३, दिनांक ५ मार्च २०२४ सोबतचे सहपत्र

The Regulation No.11.2.5 is proposed to be revised as follows :—

Revised Regulation No.11.2.5

Sr. No.	Existing Provision	Proposed Provision
1	<p>Construction Amenity TDR in Sq.m.</p> <p>= A / B * 2.00 Where,</p> <p>A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. (In case of construction of new D.P. road, cost of construction as worked out on the basis of District Schedule of Rates.)</p>	<p>Construction Amenity TDR in Sq.m.</p> <p>= A/B * 1.35 Where,</p> <p>A= cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. (In case of construction of new D.P. road, cost of construction as worked out on the basis of District Schedule of Rates.) while preparing the estimate, The cost of any movable items should not be considered for the calculation of cost of construction of amenity.</p>

Sr. No.	Existing Provision	Proposed Provision
	<p>B = land rate per Sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.</p> <p>In case of buildings like auditorium, assembly etc. wherein height of building is more, cost of the building may be worked out from the Public Works Department as per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.</p>	<p>B= land rate per Sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.</p> <p>In case of buildings like auditorium, assembly etc. wherein height of building is more cost of the building worked out from the Public Works Department as per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.</p> <p>Technical sanction for the cost of construction of amenity should be given by the concern competent authority.</p>

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

डॉ. प्रतिभा भदाणे,
शासनाच्या सहसचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 5th March 2024.

NOTICE

THE MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966.

No.TPS-1824/225/CR-28/2024/UD-13.— Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations (UDCPR)(hereinafter referred to as “the said Regulations”) for the state except Municipal Corporation of Greater Mumbai, & some Planning Authorities under the provisions of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as “the said Act”) *vide* Notification No. TPS-1818/CR.238/18/DP. & RP./Sec.37 (1AA) (c) & sec. 20(4)/UD-13, dated 2nd December 2020 ;

And whereas, the said Regulation No. 11.2.5, is regarding Transferable Development Rights (TDR) against Construction of Amenity (hereinafter referred to as “the said provisions”) and it has been observed by the Government that there are some difficulties to the planning authorities to implement the said provisions ;

And whereas, the State Government is of the opinion that while while levying Construction Amenity TDR in respect of all types of buildings in the said regulation it is necessary to revise the said regulation No. 11.2.5 on the basis the provisions of Development Control and Promotion Regulations - 2034 of the Brihanmumbai Municipal Corporation and as per the annexure A, attached herewith (hereinafter referred to as “the said proposed modification).

Now, therefore, in exercise of the powers conferred under section 37(1AA) and section 20(3) of the said Act and all other powers enabling in that behalf, the Government hereby publishes a notice for inviting suggestions/objections from general public in respect to the said modification. Any objections/ suggestions upon the said modification shall be forwarded, before the expiry of one month from the date of publication of this notice in *Maharashtra Government Gazette*, to the concerned Divisional Joint Director of Town Planning who is hereby authorized as an Officer to hear objections/suggestions and say of concerned Planning Authorities, as applicable, and submit his report to the Government.

Further, the State Government is hereby issues directives under section 154(1) of the said Act that the said proposed modification proposed changes in the Regulation No.11.2.5 [Regulation regarding Transferable Development Rights (TDR) against Construction of Amenity] shall come into force immediately irrespective of sanction to the said proposed modification u/s 37(1AA) (a) & 20(3) of the MR & TP Act, 1966.

This Notice is kept for inspection to the general public in the following offices for the period of one month on all working days :—

1. The Divisional Joint Director of Town Planning, Konkan / Pune/Nashik / Nagpur / Amravati / Chhatrapati Sambhajinagar Division.
2. The Commissioners All concerned Municipal Corporations. (Exp. Mumbai Municipal Corporation of Greater Mumbai).
3. The Collectors, All Districts.
4. The Metropolitan Commissioners, All Metropolitan Regions Developments Authorities.
5. Office of the Managing Director, CIDCO, CIDCO Bhavan, Belapur, Navi Mumbai.
6. The Chief Executive Officer, Kolhapur Urban Area Development Authority, Kolhapur.
7. Vice-Chairman and Managing Director, Maharashtra State Road Development Corporation, Mumbai.
8. All Special Planning Authorities New Town Development Authorities.
9. The Chief Executive Officer, All Zilla Parishad.
10. The Chief Officers, All Municipal Councils/ Nagar Panchyat.

This Notice is also available on the Government website www.maharashtra.gov.in (Acts/Rules).

Schedule-A

Accompaniment of Notice No.TPS-1824/225/CR.28/2024/UD-13, dated 5.3.2024

The Regulation No.11.2.5 is proposed to be revised as follows :—

Revised Regulation No.11.2.5.

Sr. No.	Existing Provision	Proposed Provision
1	<p>Construction Amenity TDR in Sq.m. $= A / B * 2.00$ Where,</p> <p>A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. (In case of construction of new D.P. road, cost of construction as worked out on the basis of District Schedule of Rates.)</p> <p>B = land rate per Sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.</p> <p>In case of buildings like auditorium, assembly etc. wherein height of building is more, cost of the building may be worked out from the Public Works Department as per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.</p>	<p>Construction Amenity TDR in Sq.m. $= A/B * 1.35$ Where,</p> <p>A= cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. (In case of construction of new D.P. road, cost of construction as worked out on the basis of District Schedule of Rates.) while preparing the estimate, The cost of any movable items should not be considered for the calculation of cost of construction of amenity.</p> <p>B= land rate per Sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.</p> <p>In case of buildings like auditorium, assembly etc. wherein height of building is more cost of the building worked out from the Public Works Department as per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.</p> <p>Technical sanction for the cost of construction of amenity should be given by the concern competent authority.</p>

By order and in the name of the Governor of Maharashtra,

DR. PRATIBHA BHADANE,
Joint Secretary to Government.